

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

Dawn Carter, as personal representative of)
the Estate of Jereme Loydd Mortinson,)
deceased, and Dawn Carter, on behalf of)
the heirs and next of kin of Jereme Loydd)
Mortinson, deceased,)

Plaintiffs,)

vs.)

EOG Resources, Inc. and,)
Crude Processing Inc.,)

Defendants.)

**ORDER DENYING MOTION
TO BIFURCATE AND STAY
DISCOVERY**

Case No. 4:12-cv-003

EOG Resources, Inc.,)

Third-Party Plaintiff,)

vs.)

S&S Sales 2008, Inc.,)

Third-Party Defendant.)

S&S Sales 2008, Inc.,)

Fourth-Party Plaintiff,)

vs.)

RES Investments, LLC,)

Fourth-Party Defendant.)

Before the court is the motion by S&S Sales 2008, Inc. (“S&S Sales”) to bifurcate the trial of the third-party claim by EOG Resources, Inc. against S &S Sales and the fourth-party claim by S&S Sales against RES Investments, LLC and to stay discovery with respect to the third-party and fourth-party claims (Doc. No. 64). The request to stay discovery is **DENIED**. The request for bifurcation is also **DENIED**. With respect to the latter, any party may renew the motion for bifurcation after the court has considered any dispositive motions addressing the third and fourth-party claims. Also, the court may later take up the matter of bifurcation of the trial of the third-party and fourth-party claim (if appropriate) *sua sponte*.

Dated this 6th day of March, 2014.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr., Magistrate Judge
United States District Court